

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI) GARNER, (b) (6),		2. EDIPI (b) (6), (b) (7)(C)	3. RANK/RATE (b) (6)	4. PAY GRADE (b) (6)
5. UNIT OR ORGANIZATION Marine Unmanned Aerial Vehicle Squadron 1, Marine Aircraft Group 13, 3d Marine Aircraft Wing, Marine Corps Air Station Yuma, Arizona			6. CURRENT SERVICE a. INITIAL DATE (b) (6), (b) (7)(C) b. TERM (b) (6), (b) (7)(C)	
7. PAY PER MONTH a. BASIC (b) (6), (b) (7)(C) b. SEA/FOREIGN DUTY None c. TOTAL (b) (6), (b) (7)(C)			8. NATURE OF RESTRAINT OF ACCUSED Pretrial Restriction.	
			9. DATE(S) IMPOSED 25 Sep 2017 - Present	

II. CHARGES AND SPECIFICATIONS

10. CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 92

Specification 1: In that (b) (6), (b) (7)(C) Garner, U.S. Marine Corps, on active duty, having knowledge of a lawful order issued by (b) (6), (b) (7)(C) to wit: Ch. 3, Paragraph 3, Station Order P5510.8G, an order which it was his duty to obey, did, on or about 46 September 2017, fail to obey the same, by failing to register his Stevens 12 Gauge Shotgun, and Wesson M&P .22 with the Provost Marshall's Office, Marine Corps Air Station Yuma, Arizona.

Specification 2: In that (b) (6), (b) (7)(C) Garner, U.S. Marine Corps, on active duty, having knowledge of a lawful order issued by (b) (6), (b) (7)(C) to wit: Ch. 3, Paragraph 3, Station Order P5510.8G, an order which it was his duty to obey, did, on or about 46 September 2017, fail to obey the same, by failing to register, and report the transfer of, a Marlin .22 Rifle, with the Provost Marshall's Office, Marine Corps Air Station Yuma, Arizona.

CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 116

Specification: In that (b) (6), (b) (7)(C) Garner, U.S. Marine Corps, on active duty, did, at or near Yuma, Arizona, on or about 46 September 2017, cause a breach in the peace by wrongfully discharging a weapon.

(CONTINUED ON SUPPLEMENTAL CHARGE SHEET 1)

* Z3 (b) (6), (b) (7)(C) 180517

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) (b) (6), (b) (7)(C)	b. GRADE E-5	c. ORGANIZATION OF ACCUSER HqHqRon, MCAS Yuma, AZ
d. SIGNATURE OF ACCUSER (b) (6), (b) (7)(C)		e. DATE 20171018

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 18th day of October, 2017, and signed the foregoing charges and specifications under oath that she is a person subject to the Uniform Code of Military Justice and that she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of her knowledge and belief.

(b) (6), (b) (7)

Typed Name of Officer

CAPTAIN, USMC

Grade and Service
(b) (6), (b) (7)(C)

Signature

HqHqRon, MCAS Yuma, AZ

Organization of Officer

TRIAL COUNSEL

Official Capacity to Administer Oaths
(See R.C.M. 307(b)--must be commissioned officer)

(ORIGINAL)

SUPPLEMENTAL CHARGE SHEET 1

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI)

GARNER, (b) (6),

2. EDIPI

(b) (6), (b) (7)

3. RANK/RATE

(b)

4. PAY GRADE

(b)

CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 128

Specification: In that (b) (6), (b) (7)(C) Garner, U.S. Marine Corps, on active duty, did, at or near Yuma, Arizona, on or about 16 September 2017, commit an assault upon (b) (6), (b) (7)(C) USMC, by brandishing a dangerous weapon, in a manner likely to produce death or grievous bodily harm, to wit: a loaded firearm.

CHARGE IV: VIOLATION OF THE UCMJ, ARTICLE 134

Specification 1: In that (b) (6), (b) (7)(C) Garner, U.S. Marine Corps, on active duty, was, at or near Yuma, Arizona, on or about 16 September 2017, drunk and disorderly which conduct was of a nature to bring discredit upon the armed forces and was of a nature to bring discredit upon the armed forces.

~~**Specification 2:** In that (b) (6), (b) (7)(C) Garner, U.S. Marine Corps, on active duty, did, at or near Yuma, Arizona, on or about 16 September 2017, wrongfully communicate to (b) (6), (b) (7)(C) a threat, to wit: brandishing a firearm, and that said conduct was to the prejudice of good order and discipline in the armed forces and was of a nature to bring discredit upon the armed forces.~~

18 DEC 17

(END)

* 23

(b)

12 DEC 17

12. On 30 October, 20 17, the accused was informed of the charges against him/her and of the name(s) of the accuser(s) known to me. (See R.C.M. 308(a)). (See R.C.M. 308 if notification cannot be made.)

(b) (6), (b)

Typed Name of Immediate Commander

VMU-1, MAG 13, 3d MAW, MCAS Yuma, AZ

Organization of Immediate Commander

MAJOR, USMC

(b) (6), (b) (7)(C)

Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13. The sworn charges were received at 1315 hours, 30 October 20 17 at VMU-1, MAG 13, 3d MAW,
Designation of Command or

MCAS Yuma, AZ

Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

FOR THE¹ COMMANDING OFFICER

EXECUTIVE OFFICER

Official Capacity of Officer Signing

(b) (6), (b)

Typed Name of Officer

MAJOR, USMC

Grade

(b) (6), (b) (7)(C)

Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

3d MAW

MCAS Miramar, CA

JAN 2 2018¹

Referred for trial to the general court-martial convened by GCMCO #1-16

Dated 30, December 20 16, subject to the following instructions: None.

by of
Command or Order

M. R. WISE

Typed Name of Officer

COMMANDING GENERAL

Official Capacity of Officer Signing

MAJOR GENERAL, USMC

Grade

(b) (6), (b) (7)(C)

Signature

15. On _____, 20_____, I (caused to be) served a copy hereof on (each of) the above named accused.

(b) (6), (b) (7)(C)

Typed Name of Trial Counsel

CAPTAIN

Grade or Rank of Trial Counsel

Signature

FOOTNOTES

1 - When an appropriate commander signs personally, inapplicable words are stricken.

2 - See R.C.M. 601(e) concerning instructions. If none, so state.

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI) GARNER, (b) (6), (b) (7)(C)		2. EDIPI (b) (6), (b) (7)(C)	3. RANK/RATE (b) (6), (b) (7)(C)	4. PAY GRADE (b) (6), (b) (7)(C)
5. UNIT OR ORGANIZATION Marine Unmanned Aerial Vehicle Squadron 1, Marine Aircraft Group 13, 3d Marine Aircraft Wing, Marine Corps Air Station Yuma, Arizona		6. CURRENT SERVICE a. INITIAL DATE (b) (6), (b) (7)(C) b. TERM (b) (6), (b) (7)(C)		
7. PAY PER MONTH a. BASIC (b) (6), (b) (7)(C) b. SEA/FOREIGN DUTY None c. TOTAL (b) (6), (b) (7)(C)		8. NATURE OF RESTRAINT OF ACCUSED Pretrial Restriction.		9. DATE(S) IMPOSED 25 Sep 2017 - Present

II. CHARGES AND SPECIFICATIONS

10. ADDITIONAL CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 92

Specification 1: In that (b) (6), (b) (7)(C) Garner, U.S. Marine Corps, on active duty, did, at or near Yuma, Arizona, on or about 23 September 2017, fail to obey a lawful general order, to wit: Ch. 3, Paragraph 3, Station Order P5510.8G, dated 23 January 2015, by wrongfully failing to register a Stevens 12 Gauge Shotgun, and a Wesson M&P .22, with the Provost Marshal's Office, Marine Corps Air Station Yuma, Arizona.

Specification 2: In that (b) (6), (b) (7)(C) Garner, U.S. Marine Corps, on active duty, did, at or near Yuma, Arizona, on or about 23 September 2017, fail to obey a lawful general order, to wit: Ch. 3, Paragraph 3, Station Order P5510.8G, dated 23 January 2015, by wrongfully failing to register, and report the transfer of, a Marlin .22 rifle, with the Provost Marshal's Office, Marine Corps Air Station Yuma, Arizona.

ADDITIONAL CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 107

Specification: In that (b) (6), (b) (7)(C) Garner, U.S. Marine Corps, on active duty, did, at or near Yuma, Arizona, on or about 23 September 2017, with intent to deceive, make to (b) (6), (b) (7)(C) a Special Agent with Naval Criminal Investigative Service, an official statement, to wit: "I did hear the gun shot, but I don't know who fired it," and when asked if he knew what type of gun was fired, he stated, "I don't," which was totally false, and was then known by the said (b) (6), (b) (7)(C) Garner to be so false.

(CONTINUED ON SUPPLEMENTAL CHARGE SHEET 1)

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) (b) (6), (b) (7)(C)	b. GRADE E-2	c. ORGANIZATION OF ACCUSER HqHqRon, MCAS Yuma, AZ
d. SIGNATURE OF ACCUSER (b) (6), (b) (7)(C)	e. DATE 20171209	

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this _____ day of _____, 20____, and signed the foregoing charges and specifications under oath that she is a person subject to the Uniform Code of Military Justice and that she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of her knowledge and belief.

(b) (6), (b) (7)(C)

Typed Name of Officer

CAPTAIN, USMC

Grade and Service
(b) (6), (b) (7)(C)

Signature

HqHqRon, MCAS Yuma, AZ

Organization of Officer

TRIAL COUNSEL

Official Capacity to Administer Oaths
(See R.C.M. 307(b)—must be commissioned officer)

(ORIGINAL)

SUPPLEMENTAL CHARGE SHEET 1

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI)

GARNER, (b) (6),

2. EDIPI

(b) (6), (b)

3. RANK/RATE

(b) (6),

4. PAY GRADE

(b)

ADDITIONAL CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 116

Specification: In that (b) (6), (b) (7)(C) Garner, U.S. Marine Corps, on active duty, did, at or near Yuma, Arizona, on or about 23 September 2017, cause a breach in the peace by hosting a party.

ADDITIONAL CHARGE IV: VIOLATION OF THE UCMJ, ARTICLE 134

Specification: In that (b) (6), (b) (7)(C) Garner, U.S. Marine Corps, on active duty, did, at or near Yuma, Arizona, on or about 23 September 2017, wrongfully and willfully discharge a firearm, to wit: a pistol outside his home, under circumstances as to endanger human life, such conduct being of a nature to bring discredit upon the armed services.

(END)

12. On _____, 20____, the accused was informed of the charges against him/her and of the name(s) of the accuser(s) known to me. (See R.C.M. 308(a)). (See R.C.M. 308 if notification cannot be made.)

(b) (6), (b) (7)(C)

Typed Name of Immediate Commander

VMU-1, MAG 13, 3d MAW, MCAS Yuma, AZ

Organization of Immediate Commander

MAJOR, USMC

Grade

(b) (6), (b) (7)(C)

Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13. The sworn charges were received at _____ hours, _____ 20____ at VMU-1, MAG 13, 3d MAW, _____
Designation of Command or

MCAS Yuma, AZ

Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

FOR THE¹ _____ COMMANDING OFFICER

(b) (6), (b) (7)(C)

Typed Name of Officer

EXECUTIVE OFFICER

Official Capacity of Officer Signing

RANK, USMC

Grade

(b) (6), (b) (7)(C)

Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

3d MAW

MCAS Miramar, CA

Referred for trial to the _____ general _____ court-martial convened by GCMCO #1-16

Dated 30 _____, December 20 16 _____, subject to the following instructions: _____

To be tried in conjunction with the charged preferred on 18 October 2017.

by _____ of _____
Command or Order

M. R. WISE

Typed Name of Officer

COMMANDING GENERAL

Official Capacity of Officer Signing

MAJOR GENERAL, USMC

Grade

(b) (6), (b) (7)(C)

Signature

15. On _____, 20____, I (caused to be) served a copy hereof on (each of) the above named accused.

(b) (6), (b) (7)(C)

Typed Name of Trial Counsel

CAPTAIN

Grade or Rank of Trial Counsel

Signature

FOOTNOTES

1 - When an appropriate commander signs personally, inapplicable words are stricken.
2 - See R.C.M. 601(e) concerning instructions. If none, so state.